

## Union Calendar No. 229

108TH CONGRESS  
1ST SESSION

# H. R. 958

[Report No. 108–400]

To authorize certain hydrographic services programs, to name a cove in Alaska in honor of the late Able Bodied Seaman Eric Steiner Koss, and for other purposes.

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### IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 27, 2003

Mr. YOUNG of Alaska introduced the following bill; which was referred to the Committee on Resources

NOVEMBER 21, 2003

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on February 27, 2003]

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## A BILL

To authorize certain hydrographic services programs, to name a cove in Alaska in honor of the late Able Bodied Seaman Eric Steiner Koss, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2       *This Act may be cited as the “Hydrographic Services*  
 3 *Amendments of 2003”.*

4       **TITLE I—NOAA HYDROGRAPHIC**  
 5       **SERVICES IMPROVEMENT**

6 **SEC. 101. REFERENCES.**

7       *Except as otherwise expressly provided, whenever in*  
 8 *this title an amendment or repeal is expressed in terms of*  
 9 *an amendment to, or repeal of, a section or other provision,*  
 10 *the reference shall be considered to be made to a section or*  
 11 *other provision of the Hydrographic Services Improvement*  
 12 *Act of 1998 (33 U.S.C. 892 et seq.).*

13 **SEC. 102. FUNCTIONS OF ADMINISTRATOR.**

14       (a) *REGIONAL NAVIGATION RESPONSE TEAMS.*—Sec-  
 15 *tion 303(a) (33 U.S.C. 892a(a)) is amended by striking*  
 16 *paragraphs (7) and (8) and inserting the following:*

17               “(7) *establish, equip, and maintain up to 10 Re-*  
 18 *gional Navigation Response teams in priority coastal*  
 19 *areas identified by the Secretary, in consultation with*  
 20 *the Commandant of the Coast Guard, to conduct ac-*  
 21 *tivities related to navigational safety and the valida-*  
 22 *tion of hydrographic data;*

23               “(8) *to the greatest extent practicable and cost-*  
 24 *effective, fulfill the requirements of paragraphs (1)*  
 25 *and (7) through contracts or other agreements with*  
 26 *private sector entities; and*

1           “(9) *participate in the development of, and im-*  
2           *plement for the United States in cooperation with*  
3           *other appropriate Federal agencies, international*  
4           *standards for hydrographic data and hydrographic*  
5           *services.*”.

6           ***(b) AUTHORITY TO ACCEPT VOLUNTEER SERVICES.—***  
7           *Section 303 (33 U.S.C. 892a) is amended by adding at the*  
8           *end the following:*

9           ***“(d) AUTHORITY TO ACCEPT VOLUNTEER SERV-***  
10          ***ICES.—***

11           ***“(1) IN GENERAL.—To help fulfill the duties of***  
12           *the Administrator, including authorities under the*  
13           *Act of 1947 (33 U.S.C. 883a et seq.), this Act, or in*  
14           *response to a maritime emergency, the Administrator*  
15           *may—*

16                   ***“(A) establish a volunteer program; and***

17                   ***“(B) enter into special agreements with***  
18                   *qualified organizations to assist in the imple-*  
19                   *mentation of a volunteer program.*

20           ***“(2) LEGAL STATUS OF VOLUNTEERS.—***

21                   ***“(A) Paragraphs (1) through (5) of section***  
22                   *7(c) of the Fish and Wildlife Act of 1956 (16*  
23                   *U.S.C. 742f(c)) shall apply to volunteers who*  
24                   *provide services to the Administrator under a*

1           *volunteer program established under paragraph*  
2           *(1).*

3           *“(B) For purposes of subparagraph (A),*  
4           *any reference in section 7(c) of the Fish and*  
5           *Wildlife Act of 1956 (16 U.S.C. 742f(c)) to the*  
6           *Secretary of the Interior or the Secretary of*  
7           *Commerce is deemed to refer to the Adminis-*  
8           *trator.*

9           *“(3) QUALIFIED ORGANIZATION.—In this sub-*  
10          *section, the term ‘qualified organization’ means a*  
11          *nongovernmental, not-for-profit organization, deter-*  
12          *mined by the Administrator to have demonstrated ex-*  
13          *pertise in boating safety and a commitment to im-*  
14          *proving the quality of hydrographic services and re-*  
15          *lated oceanographic and meteorological information*  
16          *that is made available to mariners.*

17          *“(e) PARTICIPATION IN JOINT INSTITUTE.—The Sec-*  
18          *retary may participate in a joint institute that develops*  
19          *new hydrographic technology and conducts academic, edu-*  
20          *cational, and outreach activities that assist the Adminis-*  
21          *trator in fulfilling the functions of the Administrator under*  
22          *this section.”.*

1 **SEC. 103. QUALITY ASSURANCE PROGRAM.**

2 (a) *ACCEPTANCE AND RECOGNITION OF CERTIFI-*  
3 *CATIONS.—Section 304(b) (33 U.S.C. 892b(b)) is amended*  
4 *by adding at the end the following:*

5 “(3) *ACCEPTANCE AND RECOGNITION OF CER-*  
6 *TIFICATIONS.—The Administrator shall, to the max-*  
7 *imum extent practicable, assure that any inter-*  
8 *national organizations and agreements to which the*  
9 *United States is a party that affect hydrographic*  
10 *products and nautical charts accept or recognize, re-*  
11 *spectively, hydrographic products certified by the Ad-*  
12 *ministrator under this subsection.”.*

13 (b) *IMPLEMENTATION OF EXECUTIVE ORDER AND*  
14 *OMB CIRCULAR.—Section 304 (33 U.S.C. 892b) is amend-*  
15 *ed by adding at the end the following:*

16 “(f) *ANNUAL STUDY AND REPORT REGARDING IMPLE-*  
17 *MENTATION OF EXECUTIVE ORDER AND OMB CIRCULAR.—*

18 “(1) *IN GENERAL.—The Administrator shall an-*  
19 *nually conduct a study of, and report to the panel es-*  
20 *tablished under section 305 regarding, steps taken to*  
21 *comply with section 3(d) of Executive Order 12906*  
22 *and Office of Management and Budget Circular A–16*  
23 *with respect to the collection and production of new*  
24 *hydrographic data and products by the Administra-*  
25 *tion.*

1           “(2) *CONSULTATION.*—*In carrying out the study*  
2           *and report, the Administrator shall consult with the*  
3           *Federal Geographic Data Committee.*”.

4   **SEC. 104. ACQUISITION OF HYDROGRAPHIC SURVEY VES-**  
5           **SEL.**

6           (a) *IN GENERAL.*—*The Secretary of Commerce may,*  
7           *in accordance with this section, acquire, by purchase, lease,*  
8           *lease-purchase, or charter, and equip one hydrographic sur-*  
9           *vey vessel.*

10          (b) *VESSEL REQUIREMENTS.*—*Any vessel acquired*  
11          *and equipped under this section must be capable of—*

12               (1) *staying at sea continuously for at least 30*  
13               *days;*

14               (2) *carrying at least 4 hydrographic survey*  
15               *launches;*

16               (3) *conducting hydrographic surveys; and*

17               (4) *conducting other work necessary to provide*  
18               *mariners with the accurate and timely data needed to*  
19               *conduct safe and efficient maritime commerce.*

20          (c) *PLAN.*—*No later than 6 months after the enactment*  
21          *of this Act, the Secretary of Commerce shall submit to the*  
22          *Committee on Resources of the House of Representatives*  
23          *and the Committee on Commerce, Science, and Transpor-*  
24          *tation of the Senate a detailed plan for implementing this*  
25          *section, including—*

1           (1) *a timetable and cost estimates for the acqui-*  
 2           *sition and equipping of the vessel under subsection*  
 3           *(a);*

4           (2) *an explanation of what vessel or vessels*  
 5           *would be retired when the vessel described in sub-*  
 6           *section (a) becomes operational; and*

7           (3) *a comparison of the 10-year estimated costs*  
 8           *of operation and maintenance of a new vessel versus*  
 9           *the 2 vessels proposed for retirement.*

10          (d) *AUTHORIZATION.—To prepare the plan required*  
 11          *under subsection (c), there is authorized to be appropriated*  
 12          *to the Secretary of Commerce \$1,000,000 for fiscal year*  
 13          *2004.*

14          **SEC. 105. KOSS COVE.**

15          (a) *IN GENERAL.—Notwithstanding any other provi-*  
 16          *sion of law or existing policy, the cove described in sub-*  
 17          *section (b) shall be known and designated as “Koss Cove”,*  
 18          *in honor of the late Able Bodied Seaman Eric Steiner Koss*  
 19          *of the National Oceanic and Atmospheric Administration*  
 20          *vessel RAINIER who died in the performance of a nautical*  
 21          *charting mission off the Alaskan coast.*

22          (b) *COVE DESCRIBED.—The cove referred to in sub-*  
 23          *section (a) is—*

1           (1) *adjacent to and southeast of Point Elrington,*  
2           *Alaska, and forms a portion of the southern coast of*  
3           *Elrington Island;*

4           (2) *<sup>3</sup>/<sub>4</sub> mile across the mouth;*

5           (3) *centered at 59 degrees 56.1 minutes North,*  
6           *148 degrees 14 minutes West; and*

7           (4) *45 miles of Seward, Alaska.*

8           (c) *REFERENCES.*—*Any reference in any law, regula-*  
9           *tion, document, record, map, or other paper of the United*  
10          *States to the cove described in subsection (b) is deemed to*  
11          *be a reference to Koss Cove.*

12          **SEC. 106. DEPICTION OF SAME SHORELINES ON CHARTS**  
13                               **AND MAPPING PRODUCTS.**

14          *Not later than 6 months after the date of enactment*  
15          *of the Act, the Secretary of Commerce and the Secretary*  
16          *of the Interior, in consultation with the Federal Emergency*  
17          *Management Agency, shall provide to the Committee on Re-*  
18          *sources of the House of Representatives and the Committee*  
19          *on Commerce, Science, and Transportation of the Senate*  
20          *a plan to depict the same shorelines on National Oceanic*  
21          *and Atmospheric Administration nautical charts and*  
22          *United States Geological Survey mapping products.*



1 **SEC. 107. AMENDMENTS TO THE HYDROGRAPHIC SERVICES**

2 **PANEL.**

3 *Section 305 of the Hydrographic Services Improve-*  
4 *ment Act of 1998 (33 U.S.C. 892c) is amended—*

5 *(1) in subsection (a), by striking “Secretary”*  
6 *and inserting “Secretary of Commerce”; and*

7 *(2) in subsection (c)(3), subsection (d), and sub-*  
8 *section (e), by striking “Secretary” each place it ap-*  
9 *pears and inserting “Administrator”.*

10 **SEC. 108. GREAT LAKES WATER LEVEL MEASUREMENTS.**

11 *Section 306(5) of the Hydrographic Services Improve-*  
12 *ment Act of 1998 (33 U.S.C. 892d(5)) is amended—*

13 *(1) by redesignating subparagraphs (A) through*  
14 *(E) as clauses (i) through (v), respectively;*

15 *(2) by striking “(5)” and inserting “(5)(A)”;*  
16 *and*

17 *(3) by adding at the end the following new sub-*  
18 *paragraph:*

19 *“(B) Of the amounts authorized under subpara-*  
20 *graph (A), \$2,000,000 in each fiscal year is author-*  
21 *ized for the Great Lakes Water Level Observation Net-*  
22 *work.”.*

1       ***TITLE II—FISHERY SURVEY***  
2                   ***VESSELS***

3   ***SEC. 201. FISHERY SURVEY VESSELS.***

4       *Section 302(c) of the Fisheries Survey Vessel Author-*  
5   *ization Act of 2000 (33 U.S.C. 891b note) is amended by*  
6   *striking “2002 and 2003” and inserting “2004, 2005, and*  
7   *2006”.*



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